

*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: JANUARY 22, 2009****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SDR-32478 - APPLICANT/OWNER: NINETY-FIVE FORT APACHE COMPLEX, LLC**

**** CONDITIONS ******STAFF RECOMMENDATION: DENIAL.** If Approved, subject to:**Planning and Development**

1. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
2. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 12/08/08, except as amended by conditions herein.
3. A Waiver from Title 19.08 is hereby approved, to allow alternative Building Placement and Orientation.
4. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. The technical landscape plan shall include the following changes from the conceptual landscape plan:
 - a. Four (4), five-gallon shrubs per required street tree in all perimeter landscape buffers, and four (4) five-gallon shrubs per required parking lot tree.
 - b. All trees are to be 24-inch box trees and all shrubs are to be a minimum of five-gallons in size.
5. Parking lot landscaping and screening shall comply with the requirements of Title 19.10, which states landscape islands shall include a minimum of 4 five-gallon shrubs for every required tree; and parking lots shall be screened from adjacent roadways by a low wall or berm with a maximum height of thirty-six inches, a solid living hedge with an appropriate maximum height of thirty-six inches, or some other screening method that has been approved as part of a landscape plan and provides a continuous screen.

SDR-32478 - Conditions Page Two
January 22, 2009 - Planning Commission Meeting

6. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
7. No signage is approved as a part of this review. All signage shall be reviewed at the time of permitting by the Building and Safety Department and must adhere to LVMC Title 19.14.
8. Trash Enclosure(s) must be fully enclosed and roofed using the same design theme and materials similar to those used in the main structure per LVMC Title 19.08 development standards.
9. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
12. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

SDR-32478 - Conditions Page Three
January 22, 2009 - Planning Commission Meeting

14. Prior to the submittal of a building permit application, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
15. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

16. Contact the City Engineer's Office at 229-6272 to coordinate the development of this project with the Horse Drive/US 95 Interchange Project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.
17. Dedicate 10 feet of right-of-way adjacent to this site for Fort Apache Road prior to the issuance of any permits.
18. All improvements within the Nevada Department of Transportation (NDOT) right-of-way shall meet with the approval of NDOT prior to the issuance of any permits.
19. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the north prior to the issuance of any permits.
20. Submit an application to the Land Development section of the Department of Public Works for a deviation from Standard Drawing #222a for the driveway accessing this site from Fort Apache Road and eliminate the northernmost five parking stalls in conflict, unless an alternate driveway design is approved by the Transportation Planning Section of the Department of Public Works.
21. Contribute \$48,869.09 in accordance with the Spring Mountain Ranch Master Traffic Impact Analysis for neighborhood traffic mitigation prior to the issuance of building or off-site permits or the recordation of a Final Map, whichever may occur first, as required by the Department of Public Works. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. The City reserves the right to utilize the contributed traffic monies for the installation of traffic signals at any intersection within this general vicinity which is impacted by this development.

SDR-32478 - Conditions Page Four
January 22, 2009 - Planning Commission Meeting

22. Construct all half-street improvements adjacent to this site on Fort Apache Road and Horse Drive, if not already constructed, in accordance with the Horse Drive/US 95 Interchange Project improvement plans; alternatively, this site may participate in the Horse Drive/US 95 Interchange Project. Construct the full width of the proposed driveway accessing Fort Apache Road concurrent with development. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the construction limits of this site prior to construction of hard surfacing (asphalt or concrete).
23. Unless otherwise allowed by the City Engineer, construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site. The connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network and shall be terminated on-site with a handicap ramp.
24. Extend public sewer in Fort Apache Road to the northern edge of this site at a size, depth and location acceptable to the Collection System Planning section of the Department of Public Works. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
25. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
26. Landscape and maintain all unimproved right-of-way, if any, adjacent to this site. All private improvements and landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
27. As appropriate, submit an Encroachment Agreement to the City of Las Vegas or obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the public right-of-way adjacent to this site.

SDR-32478 - Conditions Page Five
January 22, 2009 - Planning Commission Meeting

28. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site.
29. Site development to comply with all applicable conditions of approval for the Spring Mountain Ranch (Overall) subdivision, the Spring Mountain Ranch Traffic Impact Analysis and all other subsequent, applicable site-related actions.

SDR-32478 - Staff Report Page One
January 22, 2009 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review (SDR-32478) for a proposed 50,100 square-foot commercial center with a Waiver of the Building Placement and Orientation Standards on 3.88 acres located on the northwest corner of Fort Apache Road and Horse Drive.

In addition to this request, the applicant has submitted a request for a General Plan Amendment (GPA-32476) to Amend a portion of the Centennial Hills Sector Plan of the General Plan from SC (Service Commercial) to GC (General Commercial), and a Rezoning (ZON-32477) of the easterly portion of the 3.88 acres from R-E (Residence Estates) to C-2 (General Commercial).

The proposed General Plan Amendment (GPA-32476) and the proposed Rezoning (ZON-32477) fail to conform to the adopted plans and policies of the Centennial Hills Sector Plan of the General Plan as they are not compatible with the existing surrounding land uses or zoning districts. Additionally, the proposed 50,100 square-foot commercial development could be achieved under the existing SC (Service Commercial) land use designation; therefore, staff recommends denial of this application, and all associated applications.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
03/06/91	The City Council approved a Reclassification of Property (Z-0072-90) located on the east side of Rancho Drive, between Ackerman Avenue and Iron Mountain Road from: C-2 (General Commercial) and R-E (Residence Estates) to R-PD3 (Residential Planned Development – 3 Units per Acre), R-PD6 (Residential Planned Development – 6 Units per Acre), R-PD12 (Residential Planned Development – 12 Units per Acre), C-V (Civic), and C-1 (Limited Commercial) for proposed single-family dwellings, townhomes, elementary school, and a business park. The Planning Commission recommended denial.
02/02/94	The City Council approved a request for Reclassification of Property (Z-0132-93) located on the east side of Rancho Drive, between Ackerman Avenue and Iron Mountain Road from: C-2 (General Commercial) and R-E (Residence Estates) to: R-PD3 (Residential Planned Development – 3 Units per Acre), R-PD6 (Residential Planned Development – 6 Units per Acre), R-PD12 (Residential Planned Development – 12 Units per Acre) and C-1 (Limited Commercial) for proposed single-family dwellings, townhomes, plexes, and a business park. The Planning Commission recommended approval.

SDR-32478 - Staff Report Page Two
January 22, 2009 - Planning Commission Meeting

01/17/96	The City Council approved a request for an Extension of Time [Z-0132-93(1)] for Iron Mountain Ranch (Spring Mountain Ranch) for proposed single-family dwellings, townhouses, and a business park on property located on the east side of Rancho Drive, between Ackerman Avenue and Iron Mountain Road. The Planning Commission recommended approval.
08/07/96	The City Council approved a request for an Extension of Time [Z-132-93(2)] of an approved request to Amend the Master Development Plan for the Iron Mountain Ranch (Z-0132-93) on 308.03 acres located on the east side of US-95 and south of Iron Mountain Road.
10/02/96	The City Council approved a request for a Plot Plan Review [Z-132-93(3)] for 308.4 acres located on the south side of Iron Mountain Road, east of Rancho Drive for a proposed 1,207-lot single-family development. The Planning Commission recommended approval.
02/05/97	The City Council approved a request for an Extension of Time [Z-132-93(4)] on property located on the east side of Rancho Drive, between Ackerman Avenue and Iron Mountain Road for proposed single-family dwellings, townhouses, and a business park.
03/12/98	The City Council approved a request for a Site Development Plan Review [Z-132-93(5)] on 0.61 acres located on the south side of Horse Drive, east of Rancho Drive for a proposed development information center. The Planning Commission recommended approval.
09/10/98	The Planning Commission approved (final action) a request for a Site Development Plan Review [Z-132-93(6)] on property located on the northeast corner of Fort Apache Road and Horse Drive for a proposed construction management trailer.
05/24/99	The City Council approved the Centennial Hills Sector Map (GPA-0001-99) of the City of Las Vegas General Plan, which replaced the Northwest Sector Map.
02/02/00	The City Council approved a request for a Site Development Plan Review [Z-132-93(8)] on property located adjacent to the northeast corner of the intersection of Racel Street and Fort Apache Road for a 149-lot single-family residential development. The Planning Commission recommended approval.
09/06/00	The City Council approved the Las Vegas 2020 Master Plan. This site is within the Newly Developing Area as described in the Plan.
11/15/01	The Planning Commission approved (final action) a request for a Review of Condition [Z-0132-93(9)] Condition #3 of an approved Site Development Plan Review [Z-0132-93(3)] to allow a 14-foot front yard setback for lots 1227, 1228, and 1230 where a 20-foot front yard setback is required on property generally located south of Iron Mountain Ranch Road, west of El Capitan Way.

SDR-32478 - Staff Report Page Three
January 22, 2009 - Planning Commission Meeting

02/19/03	The City Council adopted the Centennial Hills Interlocal Land Use Plan. On this map, the subject site was designated SC (Service Commercial).
09/01/04	The City Council approved a request for a General Plan Amendment (GPA-4634) to Amend a portion of the Centennial Hills Interlocal Land Use Plan of the General Plan from SC (Service Commercial) to ML (Medium Low Density Residential) for a single-family development on 17.83 acres adjacent to the southwest corner of Horse Drive and Fort Apache Road. The Planning Commission and staff recommended denial. Approval was limited to the portion south of Horse Drive only, excluding the subject site.
09/01/04	The City Council approved a Rezoning (ZON-4640) from R-E (Residence Estates and C-2 (General Commercial) to R-PD6 (Residential Planned Development, 6 Units per Acre) on 17.83 acres located at the southwest corner of Horse Drive and Fort Apache Road. The Planning Commission and staff recommended denial. Approval was limited to the portion south of Horse Drive only, excluding the subject site.
09/01/04	The City Council approved a Site Development Plan Review (SDR-4641) for a 100-lot residential development on 17.83 acres located at the southwest corner of Horse Drive and Fort Apache Road. The Planning Commission and staff recommended denial. Approval was limited to 77 units on the portion south of Horse Drive only, excluding the subject site.
11/04/04	The Planning Commission approved a request (final action) for a Tentative map (TMP-4921) for a 100-lot single-family residential subdivision on 17.83 acres adjacent to the southwest corner of Horse Drive and Fort Apache Road.
<i>Related Building Permits/Business Licenses</i>	
No building permits or business licenses have been issued for the subject site.	

<i>Pre-Application Meeting</i>	
11/18/08	A pre-application meeting was held where the submittal requirements for a Site Development Plan Review were discussed.

SDR-32478 - Staff Report Page Four
January 22, 2009 - Planning Commission Meeting

<i>Neighborhood Meeting</i>	
01/07/09	<p>A neighborhood meeting was scheduled for January 7th at 6:00pm at the Centennial Hills YMCA located at 6601 North Buffalo Road for the associated General Plan Amendment (GPA-32476). One representative from the applicant, one member of the Department of Planning and Development, a Ward Six Liaison, and eight members of the public attended the meeting.</p> <p>Questions and comments were as follows:</p> <ul style="list-style-type: none"> • Concern about the uses that would be allowed under C-2 zoning. • Concern about traffic control at the intersection of Sky Pointe Drive and Horse Drive (it was indicated that a traffic light would be installed at the intersection). • Concern about the fact that the property is on a route that children use to walk to school. • One resident commented positively on the changes to the landscape plan, and stated that they want the landscaping to be consistent with landscaping in the neighborhood. • A resident stated that they didn't want supper clubs, off-site liquor, or gaming uses in the center; however, a restaurant with a beer/wine license may be acceptable. • A resident requested that the center be redesigned to Town Center standards so that the buildings would be located at the street front with the parking located behind the buildings. • The general consensus of the residents was that C-1 zoning (and the associated SC land use designation) would be acceptable, but that C-2 would be inappropriate. <p>The meeting began at 6:07 p.m. and concluded at 6:37 p.m.</p>

<i>Field Check</i>	
12/24/08	Staff performed a routine field check that revealed an undeveloped lot adjacent to single-family residences with limited landscaping along the Horse Drive street frontage.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	3.88

SDR-32478 - Staff Report Page Five
January 22, 2009 - Planning Commission Meeting

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped Land	SC (Service Commercial)	C-2 (General Commercial) & R-E (Residence Estates)
North	Undeveloped Land	TND (Traditional New Development)	T-D (Traditional Development)
South	Single-Family Residential	ML (Medium Low Density Residential)	R-PD6 (Residential Planned Development – 6 Units per Acre)
East	Undeveloped Land, Single-Family Residences	PCD (Planned Community Development)	R-E (Residence Estates)
West	US-95	ROW (Right-of Way)	ROW (Right-of Way)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan	X		Y
Centennial Hills Sector Plan	X		Y
Northwest Open Space Plan	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts	X		Y
Spring Mountain Ranch	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Width	100 Feet	166 Feet	Y
Min. Setbacks			
• Front	20 Feet	112 Feet	Y
• Side	10 Feet	10.17 Feet	Y
• Corner	15 Feet	22.75 Feet	Y
• Rear	20 Feet	20 Feet	Y
Max. Lot Coverage	50%	19%	Y
Max. Building Height	N/A	44.83 Feet	Y
Trash Enclosure	Roofed, Gated & Screened	Described In Notes, Not Shown In Elevation.	N*
Mech. Equipment	Screened	Not Shown	N*

SDR-32478 - Staff Report Page Six
January 22, 2009 - Planning Commission Meeting

**A condition has been added to ensure the proper construction of the trash enclosure in accordance with Title 19.08 development standards, and the proper screening of all mechanical equipment.*

Pursuant to Title 19.08, the following Residential Adjacency Standards apply:

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	135 Feet	135 Feet	Y
Adjacent development matching setback	15 Feet	15 Feet	Y
Trash Enclosure	50 Feet	145 Feet	Y

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Parking Area	1 Tree per 6 Uncovered Spaces	35 Trees	35 Trees	Y*
Buffer:				
Min. Trees	1 Trees/30 Linear Feet - North	17 Trees	19 Trees	Y
	1 Trees/20 Linear Feet - South	15 Trees	28 Trees	Y
	1 Trees/30 Linear Feet - West	16 Trees	16 Trees	Y
	1 Trees/20 Linear Feet - East	4 Trees	8 Trees	Y
TOTAL		52 Trees	71 Trees	Y*
Min. Zone Width:				
North	8 Feet		10.17 Feet	Y
South	15 Feet		15 Feet	Y
West	15 Feet		15 Feet	Y
East	15 Feet		15 Feet	Y
Wall Height	6 to 8 Feet		None Provided	N/A

**The proposed landscape is deficient the required shrubs within the landscape buffer and parking lot finger islands. A condition has been added to ensure compliance to Title 19.12 Landscape Requirements.*

SDR-32478 - Staff Report Page Seven
January 22, 2009 - Planning Commission Meeting

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Shopping Center	50,100 SF	1:250	194	7	194	7	Y
SubTotal			194	7	194	7	
TOTAL			201		201		
Loading Spaces	50,100 SF	3			3		Y

Waivers		
Request	Requirement	Staff Recommendation
Waiver of the Building Placement and Orientation Standards	Buildings on corner lots should be oriented to the corner and to the street fronts, and should make a strong tie to the building lines of each street.	Denial

ANALYSIS

●Land Use and Zoning

The proposed site is located within the Centennial Hills Sector Plan of the General Plan. The site currently has a land use designation of SC (Service Commercial). The Service Commercial category allows low to medium intensity retail, office, or other commercial uses that serve primarily local area patrons, and that do not include more intense general commercial characteristics. Examples include neighborhood shopping centers, theaters, and other places of public assembly and public and semi-public uses. This category also includes offices either singly or grouped as office centers with professional and business services.

The subject site currently has a split zoning district of C-2 (General Commercial) on the western portion of the site closest to I-95, and the eastern portion of the site is an R-E (Residence Estates) district. These zoning districts were originally designated by Clark County and remained the same when the subject property was annexed into the City on May 6, 1964. On February 19, 2003 the City Council adopted the Centennial Hills Interlocal Land Use Plan which designated the subject site as SC (Service Commercial) within the General Plan with the intention of the site eventually becoming a low to medium intensity commercial use to primarily serve local area patrons.

SDR-32478 - Staff Report Page Eight
January 22, 2009 - Planning Commission Meeting

In addition to this request, the applicant has submitted a request for a General Plan Amendment (GPA-32476) to amend a portion of the Centennial Hills Sector Plan of the General Plan from SC (Service Commercial) to GC (General Commercial), and a request for a Rezoning (ZON-32477) of the easterly portion of the 3.88 acres from R-E (Residence Estates) to C-2 (General Commercial). The approval of the Rezoning request would designate the entire 3.88 acre site as C-2 (General Commercial).

The proposed General Plan Amendment and Rezoning fails to conform to the adopted plans and policies of the Centennial Hills Sector Plan of the General Plan as it is not compatible with the existing surrounding land uses or zoning districts. Additionally, the proposed 50,100 square-foot retail commercial development could be achieved under the existing SC (Service Commercial) land use designation, and a less intense commercial district such as C-1 (Limited Commercial).

- **Site Plan**

The site is located at the northwest corner of Horse Drive and Fort Apache Road. The proposed site plan indicates two buildings along the west and north property lines. Building one is located along the west property line and consists of 24,000 square feet of retail space on the first floor and 9,000 square feet of office space on the second floor. Building two is located along the north property line and consists of 17,100 square feet of retail space on one floor.

Access to the site is gained from two driveways, the first located on Fort Apache Road with a minimum width of 24 feet that will be a shared access point with the future development to the north, and the second located on Horse Drive with a width of 32 feet. Site circulation is adequate.

Parking is provided on the site to the south and east of the proposed buildings along Horse Drive. Parking is provided in accordance with Title 19.10, with a total of 201 parking spaces, including seven handicap accessible spaces, and three additional loading spaces.

- **Landscaping**

The landscape plan indicates an adequate number and type of perimeter landscape trees to meet the requirements of Title 19.12. A condition has been added to ensure the proper size of tree is planted at time of construction. The proposed landscape plan does not adequately address the required shrubs per Title 19.12 and a condition has been added to also ensure the planting of the required amount and size of shrubs. There is no mention in the planting legend or landscape plan of a screening wall or berm within the landscape buffer for the required screening of the parking lot from adjacent roadways. A condition has also been added to address this concern.

SDR-32478 - Staff Report Page Nine
January 22, 2009 - Planning Commission Meeting

Parking lot landscaping trees are provided for in accordance with Title 19.10 with regard to the quantity and size of trees and islands. A condition has been added to ensure the planting of the required amount and size of shrubs for each required landscape island and tree.

- **Elevations**

Submitted elevations indicate stucco as the primary façade material, painted in earth tone colors, with stone veneer columns and accents. Metal trellises are located over the entries. The materials and façade design are consistent with Title 19.08 requirements for changes in colors, materials and relief.

- **Floor Plan**

Floor plans indicate two buildings with a standard multi-tenant layout that can be configured to meet the individual needs of the tenants. Building one consists of 24,000 square feet of retail space on the first floor, and 9,000 square feet of office space on the second floor. Building two consists of 17,100 square feet of retail space on one floor.

- **Building Placement and Orientation**

Per Title 19.08, “buildings on corner lots should be oriented to the corner and to the street fronts, and should make a strong tie to the building lines of each street unless the applicant can demonstrate by substantial and convincing evidence that to do so would be infeasible.” The proposed site plan demonstrates the parking lot having a strong tie to the building lines of Horse Drive and Fort Apache Road, not the building as required by Title 19.08. Staff is recommending denial of this request.

FINDINGS

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

1. **The proposed development is compatible with adjacent development and development in the area;**

The proposed development is not compatible with the existing adjacent residential development and planned development in the area as the applicant is seeking a land use designation and zoning district that are too intense for the surrounding area.

SDR-32478 - Staff Report Page Ten
January 22, 2009 - Planning Commission Meeting

- 2. The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;**

With the approval of the associated request for a General Plan Amendment (GPA-32476) to the GC (General Commercial) General Plan designation for the site, the proposed development will become the only GC (General Commercial) property within the surrounding area. This would allow the most intense of commercial uses to be located adjacent to residentially zoned properties without an appropriate land use buffer as required by the Centennial Hills Sector Plan of the General Plan. Additionally, the applicant has requested a Waiver of the Building Placement and Orientation Standard.

- 3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

The site is accessed from driveways on Horse Drive and Fort Apache Road, which are both designated as 80-foot Secondary Collectors under the Master Streets and Highways Plan. The proposed project would not have a negative impact on neighborhood traffic.

- 4. Building and landscape materials are appropriate for the area and for the City;**

Building and landscape materials are appropriate for the area and for the City.

- 5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;**

The proposed building elevations depict appropriate design and architectural features that are consistent with the area and the requirements of Title 19.

- 6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.**

The proposed development will be subject to permit review and inspection, and therefore appropriate measures will be taken to protect the public health, safety and welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

17

ASSEMBLY DISTRICT 13

SDR-32478 - Staff Report Page Eleven
January 22, 2009 - Planning Commission Meeting**SENATE DISTRICT** 9**NOTICES MAILED** 654**APPROVALS** 4**PROTESTS** 1